IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 12415 of 2007(C)
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PETITIONER:
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M.MADHAVI, RT.SANSKRIT TEACHER,
VALLIYAYI U.P.SCHOOL, 'MAHEEYESS'
PATHAYAKKUNNU P.O.,
KANNUR DT.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS:
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1. THE DEPUTY DIRECTOR OF EDUCATION,
KANNUR.

2. THE ASSISTANT EDUCATIONAL OFFICER,
PANOOR, KANNUR DISTRICT.

BY GOVERNMENT PLEADER SRI. T.T.MAHMOOD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1: COPY OF THE PAY REVISION ORDER OF THE PETITIONER.

EXT.P2: COPY OF THE COMMUNICATION NO.OA(1) 25541/06 DATED 9.3.07 CONTAINING THE AUDIT OBJECTION IN RESPECT OF PETITIONER'S PAY ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT.

EXT.P3: COPY OF THE JUDGMENT IN W.P.(C) NO.20914/2003.

EXT.P4: COPY OF THE JUDGMENT IN W.P.(C) NO.19879/06.

TRUE COPY

PA TO JUDGE.

**S. SIRI JAGAN, J.**

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**W.P.(C)No. 12415 OF 2007**

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Dated this the 5th day of October, 2007

**JUDGMENT**

The learned Government pleader takes notice on behalf of the 2nd respondent. Service is complete.

2. It is admitted by both sides that the issue involved in this writ petition is covered by Exts.P3 and P4 judgments. Although the learned Government pleader would submit that the Government is filing appeal against Ext.P3 judgment, in so far as the issue is covered by Ext.P3 judgment, Ext.P2 is quashed and consequently there would be a direction to the 1st respondent to disburse the retirement benefits due to the petitioner without reference to Exhibit P2, and in the light of Ext.P3 judgment.

The writ petition is disposed of as above.

**S. SIRI JAGAN, JUDGE**

Acd